

REMARKS

Claims 1, 3, 5 – 14, and 16 - 25 are now pending in the application. The Examiner is respectfully requested to reconsider and withdraw the rejection in view of the remarks contained herein.

CLAIM OBJECTIONS

The Examiner objects to claim 1, 9, 12, 24, and 25 because the phrase “superimposed over” does not appear in the original presentation of the claims and is not defined or supported in the specification.

Applicants respectfully assert, however, that an applicant may show possession of an invention by disclosure of drawings. See, e.g., *Vas-Cath*, 935 F.2d at 1565, 19 USPQ2d at 1118 (“drawings alone may provide a ‘written description’ of an invention as required by Sec. 112”); and *In re Wolfensperger*, 302 F.2d 950, 133 USPQ 537 (CCPA 1962) (the drawings of the applicant’s specification provided sufficient written descriptive support for the claim limitation at issue). More specifically, in relation to the above-referenced drawings, and in particular Figure 7(a), it can be seen that the claimed alignment marks 10 and 15 are superimposed over one another. Further, Applicants respectfully assert that one skilled in the art would readily appreciate that the phrase, “superimposed over” is supported by the drawings as originally filed. As such, Applicants respectfully assert that possession of the claimed phrase “superimposed over” is evidenced by the drawings as filed, and request that the objection to the claims be reconsidered and withdrawn.

REJECTION UNDER 35 U.S.C. § 103

Claims 1, 3, 5 – 14, and 16 – 25 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Takahashi et al. (Takahashi) (U.S. Pat. No. 6,266,119) in view of Ishikawa et al. (U.S. Pat. No. 5,258,866). This rejection is respectfully traversed.

In the Examiner's Response to Arguments section of the outstanding Final Office Action, the Examiner alleges that "superimposed" is not defined or supported in the specification. Further, as stated above, the Examiner has objected to this language in the claims. Notwithstanding, as also stated above, Applicants respectfully assert that in Figure 7(a), it can be seen that the claimed alignment marks 10 and 15 are superimposed over one another. As such, Applicants also respectfully assert that one skilled in the art would readily appreciate that the phrase, "superimposed over" is supported by the drawings as originally filed. Possession of the claimed phrase "superimposed over", therefore, is evidenced by the drawings as filed.

In contrast, Takahashi utilizes alignment marks A1, A2, and B1, B2 which are opposed to each other. More specifically, referring to Figure 6 of Takahashi, members 36 and 32 are separated from each other by a gap. As such, the alignment marks A1, A2, and B1, B2 are not superimposed over one another, as claimed. The claimed method, therefore, is different from the proposed combination of Takahashi and Ishikawa. Further, neither Takahashi, Ishikawa, nor any combination thereof, teaches, suggests, or provides motivation to utilize alignment marks superimposed over one another. Since there is not teaching, suggestion, or motivation, the claimed alignment marks superimposed over one another would not have been obvious. Accordingly, reconsideration and withdrawal of this rejection is respectfully requested.

CONCLUSION

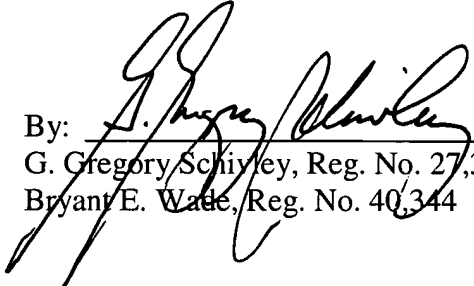
It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

Dated:

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By:


G. Gregory Schivley, Reg. No. 27,382
Bryant E. Wade, Reg. No. 40,344

HARNESS, DICKEY & PIERCE, P.L.C.
P.O. Box 828
Bloomfield Hills, Michigan 48303
(248) 641-1600

GGs/BEW/JAH